THE HONOLULU REPUBLICAN.

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TWO RECEPTIONS FOR SHRINERS YESTERDAY

Received by Governor Dole in the Morning.

THEY THEN MET LILIUOKALANI

THE RAIN INTERFERED WITH THE LUAU AT PRINCE DAVID'S.

Honolulu Society Well Represented at the Reception Given by the Governor—Program for Today.

The Shriners were yesterday given glimpses of Hawaii new and Hawaii old. They were received by the regime of the present and welcomed by the regime of the past. In the morning Governor Dole tendered them a reception at the capitol. In the afternoon the visitors drove to Ainahau, where they were received in the home of A. S. Cleghorn by ex-Queen Liliuokalani.

The warmth of the hospitality was the same on the floors of the capitol and upon the lawn at Ainahau, but the contrast was vivid.

At 2 o'clock the Shriners took carriages to Ainahau. The drive down Waikiki road and through the palm-lined ways of the Cleghorn grounds awoke the admiration of the visitors. The gates were wide open in anticipation of their coming. The guests were escorted across the wide lawn and into the house, where each in turn was presented to Liliuokalani. The presentations were made by Mrs. James W. Robertson, Mr. Cleghorn's daughter. Mr. Cleghorn, owing to illness, did not appear. The visitors were then given the freedom of the house and grounds. Groups loitered under the wide spreading banyan trees and found much to arouse their admiration in the well-kept tropical grove and garden.

The curio room, containing so many articles belonging to the lamented Princess Kaiulani, attracted the visitors more than anything else and here they lingered longest.

The event of the day was the big Hawaiian luau served by the Masons on Prince David's lawn. The local committee on entertainment had spared neither trouble nor expense to make it one of the best ever spread in Honolulu. There was table room for 500 guests.

For the first time in many years Liliuokalani sat at a public luau. She was presented with a Shriners' jewel at Washington, D. C., by the Imperial Potentate. She was present at this Hawaiian feast because of her regard for the order. As the company stood waiting the ex-queen was escorted to the

Mr. and Mrs. Alfred Marsh.

place of honor. Then while the Hawaiian quintet rendered beautiful music, the menu below was managed without knives, forks or spoons:

Anae. Awa. Kumu.
(From the favorite ponds of Kamehameha I.)
Luau Pig.
Octopus Luau and Cocoanut.
Chicken Luau and Cocoanut.
Roast Chicken. Roast Turkey.
Sliced Ham.

Thomas Morton.

Sandwiches—Ham, Sardines and Cheese.
Taro Poi Kalo.
Bread Fruit Poi. Potato Poi.
Opae, Raw Squid.
Limu Kuolo. Live Lobsters.
Pineapples. Cocoanuts.
Guava. Bananas.
Beer. Ale. Sodas. Zum-Zum.

Heavy showers of rain fell just as the guests were seating themselves and the hula dancers and singers could not appear.

The luau was prepared under the direction of W. Auld and but for the untimely rain would have been the most successful ever spread in Honolulu.

RECEPTION TENDERED THE SHRINERS BY THE GOVERNOR

The reception given by Governor and Mrs. Dole in honor of the Mystic Shriners was a great success. Those who received with the governor and Mrs. Dole were Mr. and Mrs. H. E. Cooper, Mr. and Mrs. Lansing, Chief Justice and Mrs. Frear, and Dr. and Mrs. Wood. The hundred ladies who were invited by Governor Dole stood behind the receiving party. Captain A. G. Hawes, Jr., the governor's private secretary, introduced the Shriners, and the invited ladies made themselves known at once to all comers. It was a most informal occasion and heartily enjoyed both by stranger and host.

Andy Hanselman.

The senate chamber, which was used for the reception, was beautifully decorated by Mrs. Burns and her sister. Much credit must be given these artistic fingers. Potted plants and ferns of every description were banked about the room. Over the gold mirror in the center was the emblem of the Shriners, prettily picked out in yellow and red flowers, with appropriate setting of ferns. At the base of all the mantels and mirrors were arranged beautiful flowers. The reception lasted two hours, when most of the Shriners departed for Prince David's luau, and afterward to be entertained at Governor Cleghorn's beautiful place.

The Shriners expressed themselves much pleased with the reception accorded them and took away the pleasantest souvenir of Honolulu hospitality. Governor Dole was besieged for his card, and many were the expressions of admiration showered upon the governor and his wife.

The names of the guests invited to assist Governor and Mrs. Dole to receive were:

Mrs. Alonzo Gartley, Miss Kate Kelley, Miss Nolte, Mrs. Mary Crau, Mrs. E. R. Adams, Mrs. Alex. Campbell, Mrs. A. M. Smith, Mrs. J. H. Fisher, Mrs. Lucy Adams, Mrs. Henry Waterhouse, Mrs. B. Burns, Mrs. A. B. Wood, Mrs. E. A. Jones, Mrs. J. B. Castle, Mrs. Alex. G. Hawes, Jr.; Mrs. W. O. Smith, Mrs. R. R. Berg, Mrs. F. W. Macfarlane, Mrs. C. B. Cooper, Mrs. Dr. Galbraith, Mrs. Judge Humphreys, Mrs. J. A. Gilman, Mrs. W. W. Hall, Miss Kate Cornwell, Mrs. C. L. Spalding, Mrs. J.M. Oat, Mrs. W. H. Wright, Mrs. K. R. G. Wallace, Mrs. F. Whitney, Mrs. W. M. Graham, Mrs. A. Brown, Mrs. W. H. Cornwell, Mrs. W. G. Ashley, Mrs. L. F. Alvarez, Mrs. G. C. Beckley, Mrs. J. H. Boyd, Mrs. C. J. Campbell, Mrs. R. Catton, Mrs. A. R. Croley, Mrs. C. L. Crabbe, Mrs. F. R. Day, Mrs. A. J. Derby, Mrs. H. M. Dow, Mrs. W. M. Giffard, Mrs. F. Halstead, Mrs. T. Hoffman, Mrs. J. D. Holt, Mrs. D. P. R. Isenberg, Mrs. J. W. Jones, Mrs. Louisson, Mrs. H. C. Morton, Mrs. P. Neumann, Mrs. S. Parker, Mrs. M. Phillips, Mrs. J. W. Pratt, Mrs. J. H. Raymond, Mrs. J. G. Rothwell, Mrs. M. N. Landers, Mrs. F. A. Schaefer, Mrs. F. C. Smith, Mrs. J. S. Walker, Mrs. J. N. Wright, Mrs. C. B. Ripley, Mrs. F. B. Auerbach, Mrs. E. D. Tenney, Mrs. H. H. Williams, Mrs. R. F. Lange, Mrs. H. Smith, Mrs. W. E. Gedge, Mrs. J. Phillips, Mrs. W. O. Atwater, Mrs. F. L. Hoogs, Mrs. E. O. White, Mrs. W. L. Stanley, Mrs. J. W. Bergstrom, Mrs. E. F. Bishop, Mrs. A. M. Brown, Mrs. J. Cassidy, Mrs. A. V. Gear, Mrs. T. H. Gibson, Mrs. W. H. Hoogs, Mrs. J. A. Lyle, Mrs. L. A. LaPierre, Mrs. J. S. Martin, Mrs. E. A. McInerny, Mrs. E. H. Paris, Mrs. G. F. Renton, Mrs. G. C. Stratemeyer, Mrs. G. W. Smith, Mrs. J. T. Wayson, Jr.; Mrs. J. H. Fisher, Mrs. W. Haywood, Mrs. W. Taylor, Mrs. J. F. Bowler, Mrs. B. F. Dillingham, Mrs. J. Nott, Mrs. D. K. Dayton, Mrs. W. W. Goodale.

SOME OF THE LEADING SHRINERS NOW HERE

Noble J. Alfred Marsh, a member of California Commandery, No. 1, K. T., and a member of the entertainment committee, is a lawyer by profession, enjoying a most lucrative practice. His office, finely equipped with a large library and other appliances of his profession, is in the Crocker building. In this "den," as he calls it, he does his work in a manner creditable to himself and satisfactory to his increasing clientage. Noble Marsh is in the flush and vigor of what might be called early manhood, notwithstanding an occasional gray hair is discoverable on close scrutiny among his locks. He is an enthusiastic "Shriner" and an earnest, reliable committeeman, believing that when an office or position is accepted its work should be faithfully and punctually performed. Noble Marsh is accompanied by his wife, Mrs. Fannie V. Marsh, a daughter of the late Commodore Eckley, founder of the Pacific Yacht club and also president of the San Francisco Yacht Club. Mrs. Marsh is an accomplished musician and an enthusiast in aquatic sports. The surf and beach in this vicinity claim much of her attention.

Islam Temple has every reason to feel a just pride in its treasurer. This office is ably conducted by Noble Thomas Morton, and he is honored and highly estimated in all representative circles in the city of San Francisco, where he has resided for many years. Noble Morton has a fine record in his service in behalf of his district in the city, which he represented in the county board of supervisors of San Francisco county. His constituents signified their appreciation by his re-election to the responsible office for a subsequent term.

For a score of years Noble Andy Hanselman has been a resident of San Francisco. For the past three years he has been a member of Islam Temple and takes an active interest in everything pertaining to the shrine. Mr. Hanselman is also a member of California Chapter, No. 5, R. A. M., which he says is the finest in the world; also Golden Gate Commandery, No. 16, K. T.

While in Honolulu, Noble Hanselman will make his headquarters with Noble Rothwell who will act as host.

It was during the reign of Kamehameha III., King of the Hawaiian Islands, that Colonel H. J. Burns made his first visit to Honolulu and to these islands. Now Mr. Burns is marshal of Islam Temple and has been a resident of San Francisco for many years. Noble Burns has held many important positions under the government and in every instance has acquitted himself with great credit. Noble Burns made a number of warm acquaintances when a visitor to the islands in former years and has a vast fund of interesting reminiscences.

Crescent and Scimitar.

The visit of the Shriners will give Masonry a new impetus in Honolulu.

Last evening there was dancing on the lanais of the Hawaiian hotel. Shriners from the Zealandia and their friends from the town made a pleasant evening of it. The Bennett band, brought by the Shriners, and the Hawaiian quintet vied with each other in the production of music.

Tomorrow the Shriners will drive to the Pali, arrangements having been made with the various stables to furnish wagonettes and surreys at $2.00 per passenger for the round trip. These will be on hand this morning promptly at 8 o'clock at the hotel and the wharf for the accommodation of the Shriners.

To the regret of the many friends made during their brief visit in the city, the Shriners were unable to arrange for a later sailing of the Zealandia. She leaves tomorrow at 4 p. m. She will not take all her passengers however, as some have decided to prolong their Honolulu visit and return on some other boat.

The Shriners were not cheated out of seeing the hula after all. When the clouds ceased their downpour yesterday a space was cleared of luau debris in Prince David's yard and two teams of hula dancers turned loose. They were

Col. H. J. Burns.

the best dancers on the island, some of them having been at one time favorites at court. The visitors were delighted with the dance and greeted the graceful Hawaiian damsels with repeated encores. The women among the Shriners were variously affected by the exhibition. The hula was the climax to a day of royal entertainment enjoyed by guests and hosts alike.

MARSHALL WILL HAVE TO RETURN TO PRISON

That the Decision of Judge Estee Yesterday.

HOLDS LACK OF JURISDICTION

PETITIONER'S ONLY REDRESS IS THROUGH WRIT OF ERROR.

Laws of Republic Held to be in Force Until Organic Act Took Effect in June Last.

"LET the petitioner be remanded." Such were the closing words of Judge Estee's decision in the Marshall case in the United States court yesterday. This means that Marshall must return to the Oahu penitentiary to serve out his sentence of six months at hard labor for the crime of libel, for which he was convicted on the 18th of May last, on a verdict returned by nine jurors.

Judge Estee holds that he has no jurisdiction in the case and that the petitioner's only redress is by securing a writ of error from the United States Supreme Court, an act that it will be impossible for him to do.

Only a few were present when the court opened, aside from the attorneys who took part in the argument a few days ago. William H. Marshall and his counsel, J. T. DeBolt, Attorney General E. P. Dole, U. S. Attorney J. C. Baird, Geo. D. Gear, W. O. Smith and General Hartwell were in the court room at 10 o'clock. Judge Estee came in promptly on time and after a few words with Clerk W. C. Waling about matters on the docket, took up several pages of typewritten manuscript and held the fate of William H. Marshall in his hand.

Judge Estee had contracted a severe cold and spoke with difficulty. He said:

"In the argument by counsel a great deal was said about the consquences of this decision. If it is decided one way, certain of the counsel pointed out that the consequences would be so and so; if decided another way, others spoke of the far reaching consequences in that direction. Such arguments," continued the judge, "must have been made in the excitement of the moment. The court does not make law, but finds out what the law is."

After reviewing the history of the case, with which the reading public is thoroughly familiar, and reciting the petition for the writ of habeas corpus, the court said:

It was admitted on the argument by all the counsel engaged therein both for petitioner and respondent, that libel in the first degree, the offense charged against the petitioner, was a misdemeanor, under the penal statutes of the Territory of Hawaii, and that petitioner was not charged or convicted of "an infamous crime."

The petitioner bases his claim for his discharge under the writ of habeas corpus applied for, upon the ground that he was tried, convicted and sentenced "without a presentment or indictment by a grand jury; that he was found guilty by a verdict of nine out of a jury of twelve; that the offense charged against him was "an infamous crime," and that the whole proceedings of the territorial courts was in violation of and contrary to the rights secured to him by the Fifth and Sixth Amendments to the Constitution of the United States.

The question presented is: Can this court, except in very rare and extreme cases, review on habeas corpus the verdict and judgment of the highest territorial court of Hawaii, in a criminal case wherein a constitutional question is claimed to be involved, and overrule the action of that court?

From the date of the passage of the Judiciary Act of 1867 until now, the Supreme Court of the United States, while always holding that a United States district or circuit court had the power in extreme cases to summarily discharge a party from custody who is restrained of his liberty in violation of the Constitution of the United States, yet the same court has unitormly held that except in the most extreme cases the true course for the petitioner was to sue out a writ of error from the Supreme Court of the United States, and thus have the constitutionality of the conviction settled by the only court in the land whose judgment on constitutional questions is final. This rule was adopted because, although the discretionary power existed, yet it was of more than doubtful propriety for a single United States district or circuit judge to interfere with the judicial procedure of a state or territorial court when dealing with criminal cases.

It must be admitted as settled law that this court, like all subordinate courts, is bound by precedent, and peculiarly so where the question involved is one of constitutional law. The supreme court of the United States in the very recent case of Markuson vs. Boucher, 175 U. S., 184, seems to have decided the question of jurisdiction involved in this case beyond dispute. It held as follows:

"We have frequently pronounced against the review by habeas corpus of the judgments of state courts in criminal cases because some right under the Constitution of the United States was alleged to have been denied by the person convicted, and have repeatedly decided the proper remedy was by writ of error. * * We lately stated the rule," said the court, "and the reasons for it in the cases of Baker vs. Grice, 169 U. S., 284, and Tinsley vs. Anderson, 171 U. S., 101-4."

The above decisions, which seem to all relate to the states, apply with equal force to the territories. See Shute vs. Keyser, 149 U. S., 643, where it held:

"An appeal or writ of error lies to this court (the Supreme Court of the United States) from the judgments or decrees of the supreme courts of the territories, except in cases where the judgments of the circuit courts of appeal are made final."

See also Aztec Mining Co. vs. Ripley, 151 U. S., 79.

For the reasons above given, the Court holds that it cannot assume jurisdiction of this case. But is there a proper federal question involved herein? If there is not, then there is an additional reason for not assuming jurisdiction because it is settled that a writ of habeas corpus must be denied if it is apparent that the only result of its issue would be the remanding of the prisoner to custody. (In re Boardman, 169 U. S. 39).

The conditions which existed on these Islands when annexed to the United States were unusual. This territory had a civilization peculiar to itself, a government republican in form, with a written constitution, civil and penal statutes, courts of justice with established jurisdiction. It had public schools and other institutions of learning, and laws enforcing compulsory education. It was not mere territory lying in mid-ocean, unused, but ready for man's use. It was a free, enlightened state, possessing all the attributes of sovereignty, and when with its consent the islands were annexed by the United States, not only the lands but the people, with their laws and customs, were annexed; and by the well established law of nations these laws and customs remained in force until new laws were enacted for the government of the territory. (Sec. 19, Sutherland on Stat. Construc., page 19; Black on Constitutional Law, page 208; American Ins. Co. vs. Canter, 1 Pet., 541; Cross vs. Harrison, 16 How., 164-184.)

These islands, although originally a monarchy, had become a republic and the people were somewhat versed in the principles of self-government. So much was this so that congress waited nearly two years before enacting a law for the government of the territory. In the mean time no laws were enforced in the territory of Hawaii but the laws of the Republic of Hawaii. The strong arm of the federal government was not felt here. The former laws and judicial procedure remained and continued in force until the 30th day of April, 1900, when congress passed the Enabling Act, which went into effect on the 14th day of June, 1900. This Act, though providing for a different form of government for the new Territory of Hawaii, continued in force many of the former laws of the islands and prescribed especially:

"That all suits at law and in equity, prosecutions and judgments existing prior to the passage of this Act shall continue to be as effectual as if this Act had not been passed." (Sec. 10, p. 6, "Act to provide a government for the Territory of Hawaii.")

The offense charged and described in the petition for the writ of habeas corpus is libel, which under the laws of Hawaii is a misdemeanor. Section 305 of the Penal Laws (Chap. 32, p. 135) fixes the maximum punishment upon conviction for libel in the first degree at not more than one year's imprisonment at hard labor, or by fine not exceeding one thousand dollars.

Section 304 of the same laws divides the offense of libel into "two degrees and the degree is to be found by the jury, or determined by the court or magistrate authorized to decide on the facts."

Section 584 gives district magistrates jurisdiction "for the prosecution, trial and sentence of any person charged with either of the following offenses, namely, any misdemeanor." * * *

It thus appears that there may be a trial and conviction for libel by a court or magistrate without the intervention of a jury. There was, however, in this case, a trial by jury as shown by the petition, the grievance set up being that the verdict of guilty was found and returned by nine jurors, whereas three jurors dissented, "which verdict," the petitioner alleges, "was and is contrary to the Sixth Amendment of the Constitution of the United States."

The first point urged upon the court was that the petitioner had been convicted of "an infamous crime," but upon the argument it was admitted that petitioner was not convicted of an infamous crime, but of a misdemeanor, which seems to be borne out by the statutes of the Republic of Hawaii hereinbefore referred to.

At the common law the crimes which rendered a person infamous were treason, felony and crimen falsi (U. S. vs. Block, 4 Sawy, 211). In the same case it is held that it is not the character of the punishment but the nature of the act, that makes the crime infamous.

The Sixth Amendment of the Constitution manifestly applies only to trials of criminal offenses which are triable only by jury and by what is known as a common law jury, and are above the grade of misdemeanors, which latter offenses are peculiarly within the jurisdiction of magistrates sitting alone, and do not necessarily require a jury.

As before stated, Section 83 of the Act of Congress for the government of the Territory of Hawaii, in part reads as follows:

"That the laws of Hawaii relative to the judicial department, including civil and criminal procedure * * are continued in force, subject to modification by congress or the legislature. * * * No person shall be convicted in any criminal case except by unanimous verdict of the jury."

One of the amendments of the Enabling Act was to repeal the law authorizing less than unanimous verdicts in criminal cases. But this repealing clause only took effect when the Enabling Act became a law, to-wit, June 14th, 1900, while this petitioner was convicted May 18th, 1900.

The court finds that petitioner's remedy is by writ of error from the Supreme Court of the United States.

That the offense whereof the petitioner was convicted and sentenced was a misdemeanor and not "an infamous crime." That there was no constitutional right to a presentment or an indictment by a grand jury in this case, and that a verdict of nine out of twelve jurors was authorized by the law of Hawaii, which law in respect to this feature was not repealed until June 14, 1900, and after the trial of this case.

It appearing that no federal question is presented for the consideration of this court it is without jurisdiction to entertain the petition for the writ of habeas corpus.

Let the petitioner be remanded.

ESTEE, Judge.

October 23, 1900.

For Indoor Baseball.

Physical Director Coates of the Young Men's Christian association is endeavoring to arrange a game of indoor baseball between picked teams from the board of directors of the association and some members of the various committees. If such an event can be brought about spectators will be guaranteed a lively game, as several members from both bodies are pretty well up on the science of indoor ball and are capable of producing a gilt-edged brand of ball.

POLICE COURT YESTERDAY.

Large Calendar of Petty Cases Disposed of by Judge Wilcox.

Twenty-three cases on yesterday's police court calendar were disposed of as follows: James Kean larceny, second degree, nolle prossed; Haskell, gambling and vagrancy, on first charge, fined $50 and costs; second charge, nolle prossed; Fujimoto and Ishi, violating section 391, penal laws, $5 and costs each; L. M. Merrill, assault and battery, $25 and costs; Pearl Andrews and Marcelle Reyne, violating section 370, penal laws, continued until 25th; Antone Fritas, profanity, sentence suspended for one year; Ah Lin and Yaw Min, opium in possession, the first case was nolle prossed, in the second the defendant was fined $50; F. Brown, assault and battery, nolle prossed; Manoha, heedless driving, October 24th, Moore, assault and battery, October 24th, McCarthy, assault and battery on F. J. Turk, $25 and costs; Larsen, Christo, Roach, Hendrickson, Sullivan and Thomas Page, drunk, $2 and costs each; Sweet Emelia, disturbing quiet of night, reprimanded and dismissed.

RENT FOR UNCLE SAM'S OFFICES IN HAWAII

DECISION OF COMPTROLLER SETTING FORTH LEGAL PRINCIPLE INVOLVED.

Question of Fact is Still to be Decided—Was Any Request Made for the Buildings?

[From the New York Evening Post.]

WASHINGTON, Oct. 4.—The comptroller of the treasury has rendered a decision concerning the question of the payment of rent by the United States for the postoffice and custom house buildings in Hawaii. The practical effect of the decision, while setting forth the legal principle involved, is to leave the main question still open until certain facts can be ascertained.

By the act of July 7, 1898, the cession of the sovereignty and property of the Republic of Hawaii was accepted and the Hawaiian islands were annexed to the United States. The act provided also that the functions of the former republic should be exercised by such persons as the president of the United States should direct. On July 8 the president directed that those functions should be exercised by the officers of the former republic, who also continued to exercise them until the Territory of Hawaii was created by act April 30, 1900. When this took effect the president of the former republic was appointed governor of the territory, and among other changes the collector of customs of the former republic was appointed collector of customs of the United States and continued in possession of the custom house buildings. The act creating the territory provides that the property of the former republic "shall be and remain in the possession, use and control of the government of the Territory of Hawaii and shall be maintained, managed and cared for by it as its own property," until taken "for the uses of the United States by direction of the president or of the governor of Hawaii."

Neither the president nor the governor has given any direction for taking any of the property for the uses of the United States, and recently the governor gave notice that he should require rent to be paid by the United States for the use of the custom house buildings. The question whether, in these circumstances, the United States is liable for rent was submitted to the comptroller of the treasury, and he has decided that if the collector took possession of the buildings with the knowledge and assent of the governor, the United States is not liable to pay rent therefor; but if such possession was taken without both his knowledge and assent, then the United States is liable. There is a question of fact, therefore, still to be settled.

HEIRS OF D. B. SMITH CLAMOR FOR MONEY

Master's Report in the Weidemann Estate Filed.

DR. NOBLITT'S PETITION REJECTED

ECHOES FROM STEIGMANN MURDER HEARD IN COURT.

Guardian's Inventory Filed—Time Set for Hearing Petition for Appointment of Administrator in Auld Estate.

An amended answer of the defendant has been filed with the clerk of the circuit court by the Equitable Life Assurance society of New York and its local attorney Paul Neumann, to the complaint of Cecil Brown, administrator of the estate of David Bowers Smith, deceased. It is stated no demand for payment of loss has been made by the plaintiff or any one in his behalf at the place where the same is payable, and that defendant has at all times been ready and willing to pay losses at its offices in the city of New York. Further, the surrogate of the county of New York on July 2 granted letters of administration on the estate to Olivia A. Brown and George H. Brown of Statesville, N. C., the former claiming to be the aunt of deceased. On July 23 these administrators began their action in the circuit court of the United States of the southern district of New York, demanding judgment against this defendant for $25,000 upon the policy of insurance upon which this action of the Hawaiian administration is brought. The Equitable claims that the money being in New York it is answerable to pay it to the New York administrators and not to this plaintiff.

Ed Hoffschlaeger & Co. are suing G. C. Akina and others composing the Lock Shin Tong society for a balance of $481.56 on account of the erection of a building at Kohala by L. Aeen, who assigned the debt to plaintiffs.

As soon as the heirs of the late H. A. Weidemann can be legally ascertained an estate in which $11,349 in cash and remaining property is to be distributed among the legatees. Such was the recommendation of George D. Gear, who has filed a master's report with the clerk of the circuit court of the accounts of Henry R. Macfarlane, Frederick W. Macfarlane and John M. Dowsett, trustees of the estate. This is deemed necessary in order that the trustees may be relieved of the liability, as one son is said to be alive, but his whereabouts have not been known for the past thirty years.

The adoption with the rights of inheritance of Helen Mabel Kuuleiponili, a 10-months-old minor, daughter of Mary Ann Hutchinson, was confirmed by decree of Judge Humphreys to Helen K. Kahookano yesterday.

The petition of W. S. Noblitt for a writ of mandamus to Territorial Treasurer Theo. F. Lansing to compel him to issue Noblitt a license to practice medicine was dismissed by Judge Humphreys yesterday. The court holds that the petitioner should have taken action against the board of health to secure the coveted permit, as licenses are always issued upon the recommendation of that body. The petitioner's license to practice medicine was revoked August 24, 1900, by the then minister of the interior, James A. King, for alleged professional misconduct of said licensee.

M. Dollinger has been appointed temporary administrator in the estate of Benjamin E. Steigmann by petition of Emma Steigmann. The estate is valued at about $350 consisting of goods and merchandise. The heirs of the deceased are Manuel Steigmann, aged 3 years, and Israel M. Steigmann, aged 18 months.

A guardian's inventory filed by Irene H. Brown in the estate of Francis Hyde H. Brown, a minor showed that on the 15th of October last there were 400 shares in the John Ii Estate, Ltd., at a par value of $100 a share, and of the estate of George H. Brown, also a minor, a like number of shares of equal value, or $40,000. A Hawaiian government bond valued at $1,000 and seventy head of cattle valued more or less at $20 a head, or $1,400 for the herd.

The petition of James Auld, husband of Catherina P. Auld, deceased, has been filed with the clerk of the circuit court, in which it is asked that George R. Carter be appointed administrator. The estate is valued at $1,100, consisting of land and personal property. The petition will be heard Friday, November 30.

A motion has been filed with the clerk of the circuit court in the case of M. Gusinao Silva vs. J. A. Magoon, administrator of the estate of Antonio Fernandes, deceased, in which notice is given that at the court house in this city Thursday, October 25, counsel will move the court for an order requiring a further bill of particulars.

The Aorangi.

The Aorangi arrived off the harbor about 10 o'clock last evening a little ahead of time. She will promptly get away this afternoon for the Sound.